IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6569 OF 2005

1. Venu Geeri Marapoina.
2. Narendra Geeri Marapoina.
3. Lingayya Ramlingayya Velgu.
4. Vijay Kumar Purushottam Udal. ... Applicants.

Versus.

The State of Maharashtra & anr. ... Respondents.

Ms.Priyanka Vegad for the Applicants.

Ms.M.H.Mhatre, A.P.P. for the Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 5th October, 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant and the learned A.P.P. for the State.

2. The prayer in the application is for modification of the condition imposed by the learned Judicial Magistrate First Class while enlarging the Applicants on bail in connection with the offence under section 420 read with section 34 of the Indian Penal Code and sections 7(1) and 16 of the Food Adulteration Act. The learned Magistrate directed the Applicants to furnish P.R.Bond and surety of Rs.15,000/- each and cash surety of Rs.2000/-. The case made out in the application is that it is impossible for the Applicants to avail of the bail as the surety amount is very high.

3. After hearing the learned Advocates appearing for the parties, I find that a case is made out for reducing the amount of bail. The bail amount will have to be reduced to Rs.5,000/- with one or two sureties in the like amount. The order relating to cash surety will have to be maintained.

4. Hence the following order is passed:

The order dated 28th September 2005 passed by the learned Judicial Magistrate First Class, Vashi, in C.R.No.I-384 of 23005 is modified. The Applicants will be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.5000/- each with one or two sureties in the like amount and cash bail of Rs.2000/-. Rest of the conditions in the order are maintained.

Judge.